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May 12, 2008

By ECF and Federal Express

Hon. Charles P. Sifton
Senior United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Fanchini, No. 07 Cr. 736 (S-1)

Dear Judge Sifton,

I write on behalf of the defendant charged as Ricardo Fanchini¹ in the above-referenced matter to respectfully request a modification of the original schedule for the filing of pretrial motions. As the Court may recall, Mr. Fanchini first appeared before this Court on February 11, 2008, at which time the Court entered its initial Pretrial Scheduling Order. The Court set the date for the return of pretrial motions on June 23, 2009; a pretrial conference on December 8, 2008; and a trial date of January 12, 2009. The Court may also recall that at the initial conference the government indicated that this case was related to another indictment pending before the Court in United States v. Dozortsev, et al., 08 Cr. 44. Government counsel represented to the Court that it intended to consolidate these cases in a single superseding indictment and, therefore, suggested that Mr. Fanchini's case follow closely the dates that were already set in the Dozortsev case. The Court agreed and set a return date for motions on the same date given the Dozortsev parties. The Court agreed to extend the trial date, however, to January 12, 2009.

As of this date, however, the government has not consolidated these two cases. Mr. Fanchini is still charged as the lone defendant in the above-referenced indictment. I have been informed by government counsel that while the government might still consolidate the two indictments, they were not yet prepared to do so until they completed plea discussions with the Dozortsev defendants.

¹ For convenience of reference, we refer herein to the defendant under his charged name, "Ricardo Fanchini." However, as expressed in earlier filings to the Court, the defendant's true and correct name is Richard Rotmann. We note that the MDC Brooklyn has corrected defendant's name on its registry and now refers to him by his correct name, Richard Rotmann.

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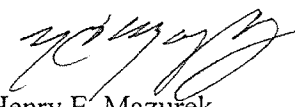
In addition, the government only recently began producing massive amounts of foreign document discovery. The government filed with the Court two discovery letters, dated April 24, 2008 and May 8, 2008, in which they have made available approximately 40 boxes of documents and electronic discovery. Much of this discovery has been obtained by the U.S. government from foreign government files in several European countries. These documents, including wiretap and consensual recordings, are largely in foreign languages, including Polish, Russian, German, and Dutch. Of course, such documents and recordings need to be first translated before they can be reviewed by counsel. Moreover, the government has indicated to defense counsel that additional foreign discovery materials will be forthcoming, although they could not quantify the volume that remains outstanding.

In short, because of the recent production of significant amounts of government discovery that needs to be translated and reviewed by counsel and the fact that this case has not been consolidated with the Dozortsev indictment as earlier expected, Mr. Fanchini respectfully requests that the Court modify the pretrial briefing schedule. Such modification should not affect the previously scheduled trial date of January 12, 2009. Mr. Fanchini simply requests that the return date for pretrial motions be adjourned to September 15, 2008. This way, the parties can complete discovery and have the summer months to prepare motions. This adjournment will permit Mr. Fanchini to present a single set of motions and not have to revisit additional motions as the discovery is serially produced by the government. A September return date for motions also is well in advance of the scheduled pretrial conference date in December 2008 and the January 12, 2009 trial date.

I have consulted with Assistant United States Attorney Toni M. Mele, and on behalf of the government, she has no objection to the proposed request.

If the Court needs additional information relevant to this request, the parties are available to be heard on a date convenient to the Court.

Respectfully yours,



Henry E. Mazurek

cc: Toni M. Mele
Licha M. Nyiendo
Assistant United States Attorneys
(By ECF)